

REMARKS

The above-mentioned Office Action, all of the pending claims, claims 1-20, were rejected. And, 13-18 were rejected under §102(b) over Vanttila. And, claims 8-10, 19, and 20 were rejected under §103(a) over the combination of Vanttila and Hansson.

Responsive to the rejections of the claims, independent claims 1 and 13 have been amended as set forth herein. Claims 5 and 16 have been cancelled. And, amendments of the dependent claims are made responsive to amendments made to their respective parent claims.

Support for the proposed amendments can be found, for instance, on page 9, lines 20-22 and page 21, lines 7-9.

As now-amended, the claims are believed to distinguish better the invention of the present application over the cited references used against the claims, taken alone, or in combination.

As stated, e.g., at column 3, lines 4-5 of Vanttila, the reference discloses operation to activate a network service function. And, column 5, line 50, and following, states that a feature code is sent to the mobile station. Operation disclosed in Vanttila appears, based upon these sections, as well as others, to be directed towards a manner by which to activate software resident at the mobile station.

The invention, recited in the claims as now-amended, recites a signal generator that receives a requested download a value revising an operational parameter that is stored at the mobile station. And, a data call initiator is recited for initiating a data

connection to down load the value that revises the operational parameter in which the value, once downloaded, is used pursuant to subsequent communication operations.

As the disclosure of Vanttilla is directed towards activating software resident at the mobile station, it is the operating software, when activated or otherwise enabled, subsequently executed. There does not appear to be disclosure of the downloading of an operational parameter that revises a parameter stored at the mobile station and that, once downloaded, is used pursuant to subsequent communication operations.

Claim 13 has been analogously amended, and is believed to be distinguishable for the same reasons of those just-given.

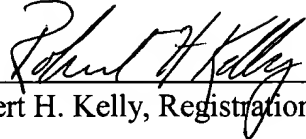
Hansson also fails to disclose such structure or method, and claims 1 and 13 are believed further to be distinguishable over any combination of these two references. As the remaining ones of the dependent claims include all of the limitations of their respective parent claims, these claims are also believed to be distinguishable over the cited references, taken alone or in combination, for the same reasons as those given with respect to their parent claims.

In light of the forgoing, claims 1 and 13, and the remaining ones of the dependent claims, as now-amended, are believed to be in condition for allowance. Accordingly, reexamination and reconsideration for allowance of these claims is respectfully requested. Such early action is earnestly solicited.

Appln. No. 09/918,394
Amdt. dated September 7, 2004
Reply to Office Action of May 6, 2004

Respectfully submitted,

Date: 7 Sept 04


Robert H. Kelly, Registration No. 33,922

Scheef & Stone, L.L.P.
5956 Sherry Lane, Suite 1400
Dallas, Texas 75225
Tel: (214) 706-4200
Fax: (214) 706-4242
email: robert.kelly@scheefandstone.com